



Senate

General Assembly

File No. 61

January Session, 2017

Substitute Senate Bill No. 129

Senate, March 14, 2017

The Committee on Environment reported through SEN. KENNEDY of the 12th Dist. and SEN. MINER of the 30th Dist., Chairpersons of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT AUTHORIZING THE TAKING OF MUSHROOMS AT STATE PARKS AND ON OTHER STATE PROPERTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 23-4 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2017*):

3 (a) The Commissioner of Energy and Environmental Protection may
4 adopt regulations in accordance with the provisions of chapter 54 for
5 the maintenance of order, safety and sanitation upon the lands under
6 the commissioner's control and for the protection of trees and other
7 property and the preservation of the natural beauty thereof and fix
8 penalties not exceeding a fine of ninety dollars for violation of such
9 regulations. The commissioner may prohibit the possession or
10 consumption of alcoholic beverages on such lands provided, for any
11 such lands where the consumption or possession of alcoholic
12 beverages was not prohibited by the commissioner as of October 1,
13 1999, the commissioner shall adopt regulations, in accordance with the

14 provisions of chapter 54, to prohibit such activity. Such regulations
15 shall be posted in conspicuous places upon such lands. Any person
16 who violates any such regulation shall have committed an infraction
17 and may pay the fine by mail or plead not guilty under the provisions
18 of section 51-164n. The provisions of section 51-164m shall not apply to
19 this section. Any person convicted of a violation of such regulations or
20 who forfeits a bond taken upon any such complaint may be prohibited
21 from entering any state park by the commissioner for not more than
22 one year from the date of such conviction.

23 (b) Notwithstanding the provisions of subsection (a) of this section
24 and any regulation adopted pursuant to said subsection, the
25 commissioner shall authorize any person to take mushrooms from any
26 lands under the control of the commissioner provided such taking is
27 for personal use only. The state shall have no liability to any person or
28 the heirs or assigns of any such person who engages in the taking of
29 mushrooms from any lands under the control of the commissioner.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2017	23-4
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ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill authorizes the taking of mushrooms, for personal use, from any state lands under control of the Department of Energy and Environmental Protection (DEEP). It also specifies that the state has no liability to any person for this activity.

There is no fiscal impact, as there are no fees associated with picking mushrooms and no fines associated with violations.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sSB 129*****AN ACT AUTHORIZING THE TAKING OF MUSHROOMS AT STATE PARKS AND ON OTHER STATE PROPERTY.*****SUMMARY**

This bill authorizes people to take mushrooms for personal use from property that is under the control of the Department of Energy and Environmental Protection (e.g., state parks). Under the bill, the state has no liability to a person, or his or her heirs or assigns, who does so.

EFFECTIVE DATE: October 1, 2017

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 29 Nay 0 (03/01/2017)